

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT				1. CONTRACT ID CODE		PAGE OF PAGES	
2. AMENDMENT/MODIFICATION NO.		3. EFFECTIVE DATE		4. REQUISITION/PURCHASE REQ. NO.		5. PROJECT NO. (If applicable)	
6. ISSUED BY		CODE		7. ADMINISTERED BY (If other than Item 6)		CODE	
8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)				(X)		9A. AMENDMENT OF SOLICITATION NO.	
						9B. DATED (SEE ITEM 11)	
						10A. MODIFICATION OF CONTRACT/ORDER NO.	
						10B. DATED (SEE ITEM 11)	
CODE		FACILITY CODE					
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS							
<input type="checkbox"/> The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers <input type="checkbox"/> is extended, <input type="checkbox"/> is not extended. Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a) By completing items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment your desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.							
12. ACCOUNTING AND APPROPRIATION DATA (If required)							
13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.							
CHECK ONE	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.						
	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).						
	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:						
	D. OTHER (Specify type of modification and authority)						
E. IMPORTANT: Contractor <input type="checkbox"/> is not, <input type="checkbox"/> is required to sign this document and return _____ copies to the issuing office.							
14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)							
15A. NAME AND TITLE OF SIGNER (Type or print)				16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)			
15B. CONTRACTOR/OFFEROR		15C. DATE SIGNED		16B. UNITED STATES OF AMERICA		16C. DATE SIGNED	
_____ (Signature of person authorized to sign)				_____ (Signature of Contracting Officer)			

1. The specifications and drawings for Invitation No. DACW64-02-B-0026, Erosion Protection, Port O'Connor to San Antonio Bay in Calhoun County, Texas, Gulf Intracoastal Waterway, Texas, advertised 16 May 2002, and for which bids are scheduled to be opened on 18 June 2002, are hereby modified as follows:

BID OPENING DATE IS HEREBY RESCHEDULED FOR 3:00 PM LOCAL TIME, ROOM 175, JADWIN BUILDING, 25 JUNE 2002.

PRE-AWARD INFORMATION IS REQUIRED AT BID OPENING

In reference to questions from a Contractor, the following clarification is provided:

Q. Bidding Schedule - The statement above the Line Items, indicates that all required work to be completed by September 30th 2002. This statement is in conflict with Section 00700 Contract Clauses, paragraph 52.216-18 Ordering. (Oct. 1995), which states that work orders can be given to the contractor until September 30th, 2002 (some of the work orders could take months after resolving them). Which of the two above cases is correct?

A. The new Bid Schedule enclosed with This Amendment No. 0002 states that "All work orders required by the plans and specifications will be issued from the date of award to 30 September 2002."

Q. Bidding Schedule - Item No. 0002, mentions the Mobilization and Demobilization to and from Placement Area 67. Placement Area 67 does not seem to be mentioned anywhere else in the provided documents. Where is Placement Area 67? Should it be Placement Area 118B?

A. See new Bid Schedule enclosed with this Amendment No. 0002.

Q. Section 00700 Contract Clauses - Paragraph 52.216-19, subsection (b1), please elaborate on what is a single item in excess of \$500,000. For example, the price for line item 0004 in the requested quantities is over \$1,000,000 (based on rates from a previous mat placement project for the US Army Corps of Engineers DACW64-00-B-0026, in June 27, 2000). In this example, does this mean that the contractor is not obligated to honor the order since this single item (line item) is in excess of \$500,000?

A. On Page 00700-15 of 88, FAR 52.216029, ORDER LIMITATIONS (Oct 1995), Subsection (b)(1). This signifies that no single line item over \$500,000.00 will be issued as a Task Order.

Q. Section 00700 Contract Clauses - Paragraph 52.246-12, Subsection (e), states that the contractor is responsible for all material needed for inspections and tests as may be required by the Contracting Officer. What are the inspection and test that the Contracting Officer require?

A. On Page 00700-71 of 88, FAR 52.246-12, INSPECTION OF CONSTRUCTION (Aug 1996). Refers to SECTION 01330, SUBMITTAL PROCEDURES, which includes the SUBMITTAL REGISTER; SECTION 02378, GEOTEXTILES USED AS FILTERS; and SECTION 02380, CELLULAR CONCRETE MATTRESSES FOR EROSION PROTECTION. Additional tests or inspections may be required to determine certifications.

Q. Section 00800 - Special Contract Requirements, Standard - Paragraph 4, states that the Liquidated Damages are \$800,000/day. This sounds very excessive. Is the \$800,000/day the correct liquidated damage?

A. The \$800,000/day was corrected to \$800.00/day on Amendment No. 0001.

Q. Section 00800 - Special Contract Requirements, Standard - Paragraph 6, states a 35% minimum work to be completed on site by the HUBZONE contractor. The standard is 20%. Why does this project have a higher minimum?

A. The 35 percent was changed to 45 percent in Amendment No. 0001. The 45 percent specified is the percentage of work you must perform with your employees for this particular project. This minimum amount is at the discretion of the Contracting Officer. The 45 percent specified here is a decision of the Galveston U. S. Army Corps of Engineers to support and promote the intent and spirit of the Small Business Act and the Small Business Set-Aside Program. There is no Government set standard

Q. Section 00800 - Special Contracting Requirements - Paragraph 11, subsection (b), states that the total aggregate price for the required tasks not to exceed \$3,000,000. Plugging in the rates from a previous mat placement project for the US Army Corps of Engineers DACW64-00-B-0026 in June 27, 2000 (which the quantities are very similar), into the current bidding schedule indicates a budgetary price of over \$4,500,000. Is it the intention of the US Army Corps of Engineers to only award the \$3 million under this contract?

A. On Page 00800-7, Paragraph 11(b). It is up to the discretion of the U. S. Army Corps of Engineers to award up to \$4,000,000 for this contract.

Q. Section 01100 - Non-Regulated Special Contract Requirements - Paragraph 1, stated that the contractor shall have each work order completed in the time allowed by the US Army Corps of Engineers to complete that order, and if that completion date is not met, liquidated damages would come into play (as per Section 00800 - Special Contract Requirements, Standard- Paragraph 4), How are the delivery dates for each work order calculated?

A. On Page 01100-1, Paragraph 1, COMMENCEMENT, PROSECUTION AND COMPLETION OF WORK. The delivery dates for each task order will be calculated after a site visit by the U. S. Army Corps of Engineers' representative and the Contractor's representative. At that time the actual work to be done will be determined and agreed upon. The cost and time will then be determined based on the bid prices, time of construction, and the work to be done that was determined and agreed upon

Q. Since this project will be executed using a work order when released schedule, it could come to play that a work order is released, the contractor mobilizes all the equipment, completes that work order, and if there is no work order immediately following, the contractor would be forced to demobilized the spread. After demobilizing, it could come to play that another work order is released. In this situation the contractor would have to mobilize and demobilize again. Is there any provision for remobilizing and demobilizing more than once?

A. If additional task orders are issued after the first task order, the Contractor will be paid for the additional Mobilization and Demobilization based on two (2) different procedures as follows:

(a) If the Contractor is still on site when the additional task order is issued, Mobilization and Demobilization will be paid using Bid Item No. 0004.

(b) If the Contractor has Demobilized to its office site, payment will be made using Bid Item No. 0003.

Specifications.

(1) NOTE 2 (Issued by Amendment No. 0001). - In the first line, change "Page 00800-1, IN CONTRACT" to "Page 00800-3, IN FAR."

(2) BIDDING SCHEDULE, Pages 00010-1 Through 00010-4 (Issued by Amendment No. 0001). - The enclosed new Bidding Schedule, Pages 00010-1 through 00010-4 supersedes that issued by Amendment No. 0001 to this Invitation.

(3) Page 01100-1, Paragraph 1. - Delete the last sentence of this Paragraph.

(4) Page 01100-5, Subparagraph (a). - In the last line, change "Sixty Thousand and No/100 (\$60,000)" to "Eighty Thousand and No/100 (\$80,000)."

(5) Page 01100-5, Subparagraph (b). - In the first line, change "\$3,000,000" to "\$4,000,000."

(6) Page 02380-2, Subparagraph 1.6.1. - At the end of this Paragraph, add the following: "The Bid Schedule submitted with this Amendment No. 0002 allows for two Mobilization and Demobilization for two separate task orders. The second Mobilization and Demobilization will be used if the Contractor is totally Demobilized from the first task order."

2. This amendment shall be attached to and become a part of the specifications.

Encl:

BID SCHED, Pgs 00010-1 thru 00010-4

File 7634S

INVITATION NO. DACW64-02-B-0026

**GULF INTRACOASTAL WATERWAY,
TEXAS, PORT O'CONNOR TO SAN
ANTONIO BAY IN CALHOUN COUNTY,
TEXAS, EROSION PROTECTION**

**BIDDING SCHEDULE
(TO BE ATTACHED TO STANDARD FORM 1442)**

Item No.	Description	Estimated Quantity	Unit	Price	Estimated Amount
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SCHEDULE NO. 1

All work orders required by the plans and specifications will be issued from the date of award until 30 September 2002.

Bonding will be included on each Delivery Order.

0001	Geotextile	27,500	L.F.	\$_____	\$_____
0002	Mobilization and Demobilization (Dock to Placement Area 118B) (For Initial Task Order)	1	L.S.	\$_____	\$_____
0003	Mobilization and Demobilization (Dock to Placement Area 118B) (For Additional Task Order)	1	L.S.	\$_____	\$_____
0004	Mobilization and Demobilization (Between Placement Areas)	15	Mile	\$_____	\$_____
0005	Cellular Concrete Mattresses - Typical Section A	7,000	L.F.	\$_____	\$_____
0006	Cellular Concrete Mattresses - Typical Section B	6,000	L.F.	\$_____	\$_____

00010-1

(To Accompany Amendment No. 0002 to Invitation No. DACW64-02-B-0026)

INVITATION NO. DACW64-02-B-0026

BIDDING SCHEDULE (Cont'd)
(TO BE ATTACHED TO STANDARD FORM 1442)

Item No.	Description	Estimated Quantity	Unit	Price	Unit Estimated Amount
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SCHEDULE NO. 1 (Cont'd)

0007	Cellular Concrete Mattresses - Typical Section C	7,500	L.F.	\$_____	\$_____
0008	Cellular Concrete Mattresses - Typical Section D	7,000	L.F.	\$_____	\$_____
TOTAL SECTION NO. 1					\$_____

**BIDDING SCHEDULE (Cont'd)
(TO BE ATTACHED TO STANDARD FORM 1442)**

1. ARITHMETIC DISCREPANCIES (JAN 1997)(EFARS 52.214-5000).

(a) For the purpose of initial evaluation of bids, the following will be utilized in resolving arithmetic discrepancies found on the face of bidding schedule as submitted by the bidder:

- (1) Obviously misplaced decimal points will be corrected;
- (2) Discrepancy between unit price and extended price, the unit price will govern;
- (3) Apparent errors in extension of unit prices will be corrected;
- (4) Apparent errors in addition of lump-sum and extended prices will be corrected.

(b) For the purpose of bid evaluation, the Government will proceed on the assumption that the bidder intends his bid to be evaluated on the basis of the unit prices, the totals arrived at by resolution of arithmetic discrepancies as provided above and the bid will be so reflected on the abstract of bids.

(c) These correction procedures shall not be used to resolve any ambiguity concerning which bid is low.

2. MODIFICATIONS (CESWG). If a modification to a bid based on unit prices is submitted, which provides for a lump sum adjustment to the total estimated cost, the application of the lump sum adjustment of each unit price in the bid schedule must be stated. If it is not stated, the bidder agrees that the lump sum adjustment shall be applied on a pro rata basis to every unit price in the bid schedule.

3. SMALL BUSINESS AND SMALL DISADVANTAGED BUSINESS SUBCONTRACTING PLAN ((FAR 52.219-9)(See CONTRACT CLAUSES)). In reference to the above, the bidder/offeror shall take into consideration only those subcontracts which he/she will award when preparing the subcontracting plan required in FAR.

BIDDING SCHEDULE (Cont'd)
(TO BE ATTACHED TO STANDARD FORM 1442)

4. SALES TAX EXEMPTION. The following blanks are not a part of your bid price. See Block 17 on Standard Form 1442. The Texas Tax Code has changed. If you intend seeking a sales tax exemption on this contract, complete the following. Such provides the "separated contract" requirement now critical to your obtaining an exemption certificate. For information concerning tax exemptions please contact the Comptroller of Public Accounts at 1 800-252-5555.

Materials: \$_____

Services: \$_____

Total: \$_____